

LUD 5615.1 CIP (10006411)

| <u>CERTIFICATE OF FACSIMILE TRANSMITTAL</u> | |
|--|--------------------------|
| I hereby certify that this correspondence is being transmitted via telecopy pursuant to 37 CFR 1.8 to <u>Group 1642, Examiner Gary NICKOL</u> of the United States Patent & Trademark Office at (571) 273-0835 and (703) 872-9306 on May 17, 2004. | |
| <u>5/17/04</u> | <u>Fani Malikouzakis</u> |
| Date | Name: Fani Malikouzakis |

RECEIVED
CENTRAL FAX CENTER

MAY 17 2004

OFFICIAL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Applicant : Elke JAGER et al.
Serial No. : 09/602,362
Filed : June 22, 2000
For : ISOLATED NUCLEIC ACID MOLECULES ENCODING
CANCER ASSOCIATED ANTIGENS, THE ANTIGENS
PER SE, AND USES THEREOF
Art Unit : 1642
Examiner : Gary Nickol

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

Responsive to the Restriction Requirement of April 23, 2004, applicants elect Group II, claims 89, 101-105, 113, 132, 133, and 134.

Please amend the application as follows:

LUD 5615.1 CIP (10006411)**IN THE CLAIMS**

Claims 1-88. (Canceled)

Claim 89. (Currently amended) Isolated cancer associated antigen comprising all or at least 8 concatenated part of amino acids in the amino acid sequence encoded by SEQ ID NO: 15, 22 or 26.

Claims 90-100. (Canceled)

Claim 101. (Previously presented) Immunogenic composition comprising the isolated cancer antigen of claim 89, and a pharmaceutically acceptable adjuvant.

Claim 102. (Previously presented) The immunogenic composition of claim 101, wherein said adjuvant is a cytokine, a saponin, or GM-CSF.

Claim 103. (Previously presented) Immunogenic composition comprising at least one peptide consisting of an amino acid sequence of from 8 to 12 amino acids concatenated to each other in the isolated cancer associated cancer antigen of claim 89, and a pharmaceutically acceptable adjuvant.

Claim 104. (Previously presented) The immunogenic composition of claim 103, wherein said adjuvant is a saponin, a cytokine, or GM-CSF.

Claim 105. (Previously presented) The immunogenic composition of claim 102, wherein said composition comprises a plurality of peptides which complex with a specific MHC molecule.

Claims 106-112. (Canceled)

LUD 5615.1 CIP (10006411)

Claim 113. (Currently amended) A composition of matter useful in treating a cancerous condition, comprising (i) a peptide consisting of an ~~derived from~~ the amino acid sequence found in the amino acid sequence encoded by SEQ ID NO: 15, 22 or 26, (ii) an MHC or HLA molecule, and (iii) a pharmaceutically acceptable carrier.

Claims 114-131. (Canceled).

Claim 132. (Previously presented) Composition comprising at least one peptide consisting of an amino acid sequence of from 8 to 25 amino acids concatenated to each other in the isolated cancer associated antigen of claim 89, and a pharmaceutically acceptable adjuvant.

Claim 133. (Previously presented) The composition of claim 132, wherein said adjuvant is a saponin, a cytokine, or GM-CSF.

Claim 134. (Previously presented) The composition of claim 132, comprising a plurality of MHC binding peptides.

Claims 135-157. (Canceled).

Claim 158. (New) The isolated cancer associated antigen of claim 89, comprising the amino acid sequence encoded by SEQ ID NO: 15, 22, or 26.

Claim 159. (New) The isolated cancer associated antigen of claim 158, comprising the amino acid sequence encoded by SEQ ID NO: 15.

Claim 160. (New) The isolated cancer associated antigen of claim 158, comprising the amino acid sequence encoded by SEQ ID NO: 22.

Claim 161. The isolated cancer associated antigen of claim 158, comprising the amino acid sequence encoded by SEQ ID NO: 26.

LUD 5615.1 CIP (10006411)

- Claim 162. (New) The isolated cancer associated antigen of claim 158, consisting of the amino acid sequence encoded by SEQ ID NO: 15, 22, or 26.
- Claim 163. (New) The isolated cancer associated antigen of claim 158, consisting of the amino acid sequence encoded by SEQ ID NO: 15.
- Claim 164. (New) The isolated cancer associated antigen of claim 158, consisting of the amino acid sequence encoded by SEQ ID NO: 22.
- Claim 165. (New) The isolated cancer associated antigen of claim 158, consisting of the amino acid sequence encoded by SEQ ID NO: 26.

LUD 5615.1 CIP (10006411)

REMARKS

Claims 89 and 113 present minor amendments. New claims 158-165 read on the elected invention.

Prompt examination is requested.

No fee is believed to be due, however, the Commissioner is hereby authorized to deduct any fees associated with this filing from Deposit Account No. 500624.

Respectfully submitted,

FULBRIGHT & JAWORSKI, L.L.P.

By: 

Norman D. Hanson, Esq.
Registration No. 30,946
666 Fifth Avenue
New York, New York 10103-3198
(212) 318-3000
(212) 318-3400 (fax)